

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: October 7, 2024

Agenda Item: 7A	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Ordinance. First Reading	Date: October 2, 2024
Subject: Petition for Annexation and Zoning Designation for ±1.04 acres on Riverside Drive [Z-24-32]	Division: Planning and Development

Background:

Jerred Roberts, registered agent for the owner, has petitioned the City of North Myrtle Beach to annex ±1.04 acres on Riverside Drive identified by PINs 311-16-01-0004 and 311-16-04-0024. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Residential Low-Density (R-1) and will be heard concurrently.

Existing Conditions:

The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned Manufactured Single-Family 10 (MSF10) under Horry County jurisdiction. Located on Riverside Drive, the parcels are vacant but were recently a site for a mobile home. Surrounding parcels within City limits are zoned R-1 and Planned Development District (PDD); surrounding county parcels are zoned (MSF10). Upon annexation, the parcel would be designated R-1 as per Exhibit A: Zoning Map Z-24-32, prepared by the City of North Myrtle Beach Planning and Development Department depicting the annexation boundary. A proposed ordinance has been attached for Council’s review.

Proposed R-1 Zoning:

	Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area	10,000 SF	1 Acres	10,000 SF
Minimum Lot Width	80 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet
	Side	10 feet ¹	10 feet
	Rear	20 feet	25 feet
Maximum Impervious Surface Ratio	40%	60%	40%
Maximum Height of Structures	35 feet (15 feet for Accessory Buildings)	45 feet	45 feet

Notes: ¹ A five-foot side yard setback shall be required for substandard lots of record.

R-1 District Permitted Uses:

Single-Family detached dwellings (excluding mobile homes); Neighborhood and community parks and centers, golf courses and similar outdoor uses, but not lighted for night use; Publicly owned recreational facilities; Churches, places of worship, religious institutions including accredited educational facilities when accessory thereto; Accessory uses; Home occupations; and Signs permitted by and in accord with all applicable provisions of Article III.

Planning Commission Action:

The Planning Commission conducted a public hearing on September 17, 2024, and voted to recommend approval of the annexation and zoning designation, citing “A”, where necessary to implement the Comprehensive Plan. There was no public comment.

Recommended Action:

Approve or deny the proposed ordinance on first reading

Reviewed by Division Head

Reviewed by Acting
City Manager

Reviewed by City Attorney

Council Action:

Motion By _____ 2nd By _____ To _____

ORDINANCE

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH
ANNEXING ±1.04 ACRES IDENTIFIED BY PINS 311-16-01-0004
AND 311-16-04-0024.**

WHEREAS, Jerred Roberts, registered agent of the owner, J & R Properties of NMB LLC, has petitioned the City of North Myrtle Beach for annexation of ±1.04 acres consisting of the following parcel PINs 311-16-01-0004 and 311-16-04-0024 as referenced on Exhibit A: Zoning Map Z-24-32, prepared by the City of North Myrtle Beach Planning and Development Department depicting the annexation boundary, which is attached hereto and incorporated herein by reference; and

WHEREAS, the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held all necessary Public Hearings in accordance with applicable State Statutes and City Ordinances; and

WHEREAS, the City Council has received a report from the Planning Commission recommending the subject property be zoned Single-Family Residential Low-Density (R-1) upon annexation.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of North Myrtle Beach, South Carolina, in Council duly assembled:

Section 1. Annexation. That parcel identified by PINs 311-16-01-0004 and 311-16-04-0024 (the “Annexed Parcel”), consisting of approximately ±1.04 acres and depicted on Exhibit A, and all contiguous portions of all public rights-of-way, streets, and highways are hereby annexed pursuant to Sections 5-3-150 and 5-3-240 of the Code of Laws of South Carolina, 1976, as amended.

Section 2. Zoning Designation. The Annexed Parcel is hereby designated and zoned as Single-Family Residential Low-Density (R-1).

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2024.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

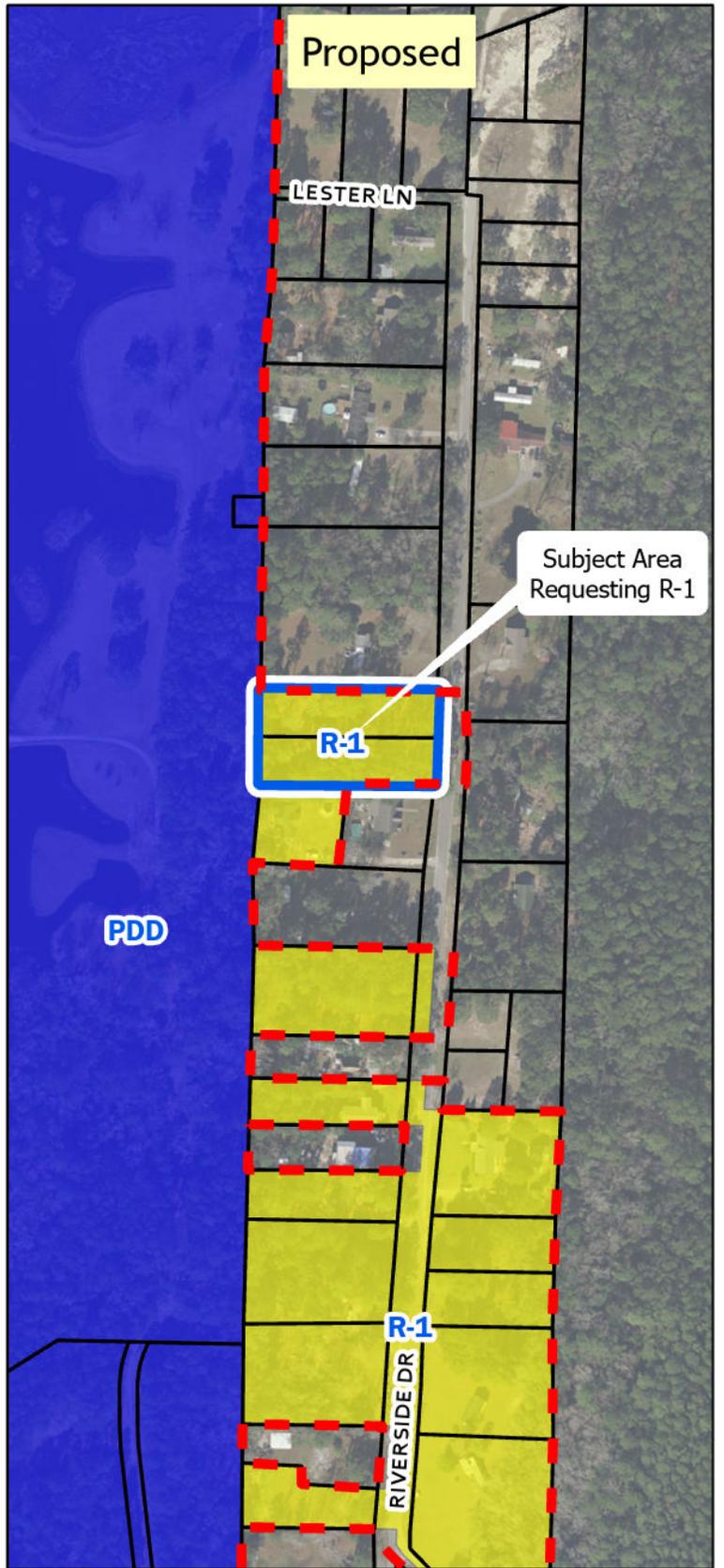
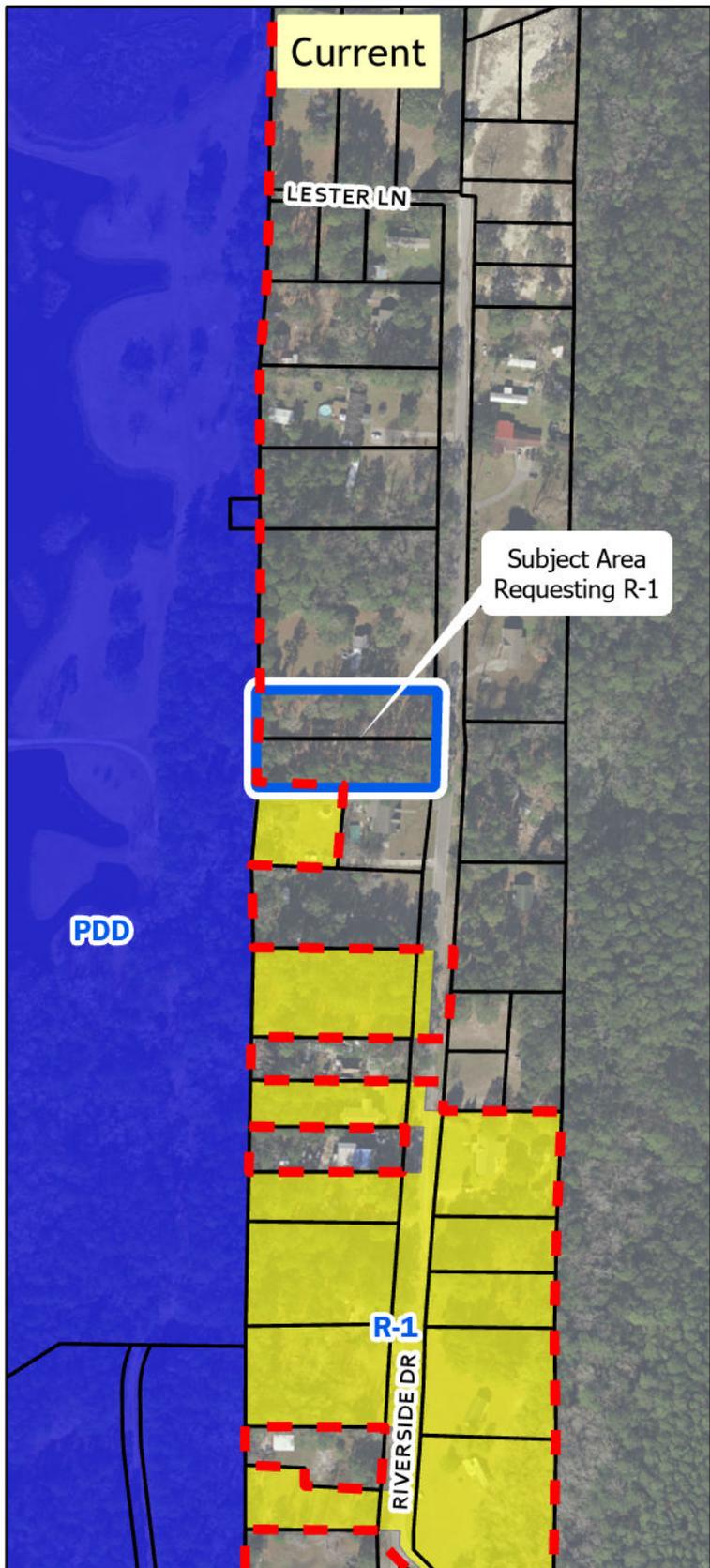
City Attorney

FIRST READING: 10.7.2024
SECOND READING: _____

REVIEWED:

Acting City Manager

ORDINANCE: _____



Legend

- North Myrtle Beach City Limit
- Subject Area
- Zoning District PDD
- Zoning District R-1



Exhibit A: Zoning Map Z-24-32



6A. ANNEXATION & ZONING DESIGNATION Z-24-32: City staff received a petition to annex ±1.04 acres on Riverside Drive identified by PINs 311-16-01-0004 and 311-16-04-0024. The lots are currently unincorporated and zoned Manufactured/Single-Family 10 (MSF10) by Horry County. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Residential Low-Density (R-1) and will be heard concurrently.

Existing Conditions and Surrounding Land Uses:

The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned Manufactured Single-Family 10 (MSF10) under Horry County jurisdiction. Located on Riverside Drive, the parcels are vacant but were recently a site for a mobile home. Surrounding parcels within City limits are zoned R-1 and Planned Development District (PDD); surrounding county parcels are zoned MSF10).

Proposed R-1 Zoning Development Standards

		Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area		10,000 SF	1 Acre	10,000 SF
Minimum Lot Width		80 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet	25 feet
	Side	10 feet ¹	25 feet	10 feet
	Rear	20 feet	25 feet	25 feet
Maximum Impervious Surface Ratio		40%	60%	40%
Maximum Height of Structures		35 feet (15 feet for Accessory Buildings)	45 feet	45 feet

Notes: ¹ A five-foot side yard setback shall be required for substandard lots of record.

R-1 District Permitted Uses

Single-family detached dwellings, excluding mobile homes; neighborhood and community parks and centers, golf courses and similar outdoor uses, but not lighted for night use; publicly-owned recreation facilities; churches, places of worship, religious institutions including accredited educational facilities when accessory thereto; accessory uses; home occupations; and signs permitted by and in accord with all applicable provisions of Article III of the City’s zoning Ordinance.

Planning Commission Action:

As per the Zoning Ordinance Section 23-4, *Amendments*, the Planning Commission shall prepare a report and make recommendations on any proposed amendment to the North Myrtle Beach Zoning Ordinance, including the Zoning Map, stating its findings and its evaluation of the request. In making its report, the Commission shall consider the following factors:

- a) The relationship of the request to the Comprehensive Plan:

The Future Land Use map contained in the 2018 Comprehensive Plan recommends Residential Suburban as a land use class for the subject area. The principal permitted uses noted in the compliance index include primarily single-family lots, small farms and farm related uses such as produce stands,

and mobile homes on individual lots. The recommended primary zoning district is R-1; R-1A and R-1B are the secondary zoning district alternatives.

The proposed zoning designation, R-1 (Single-Family Residential Low-Density), is a recommended zoning district within the Compliance Index for the subject property.

b) Whether the request violates or supports the Plan:

Chapter 5, “The Way We Grow,” of the 2018 Comprehensive Plan identifies the Residential Suburban future land use classification as follows: The purpose of this classification is to define, protect, and provide low density, single-family detached housing areas where designated, and to prohibit any development that would compromise existing residential characteristics. In addition, these areas are intended to provide for in-fill and expansion of existing neighborhoods and subdivisions. Standards and densities for these areas are designated to reflect existing conditions. This area is also intended to allow incorporation of property west of the waterway at densities typical of inland development. Primarily single-family lots, small farms and farm related uses such as produce stands, and mobile homes on individual lots, excluding large mobile home parks, are compatible uses here. This category allows up to five dwelling units per acre (du/acre).

The proposed R-1 zoning is consistent with the Residential Suburban land use classification found in the 2018 Comprehensive Plan.

c) Whether the uses permitted by the proposed change would be appropriate in the area concerned:

The purpose of the R-1 zoning district is, “To preserve and protect the character of existing neighborhoods and subdivisions, and to prohibit any uses which would compromise or alter existing conditions and uses. Also, these districts are intended to encourage residential infilling and expansion of existing neighborhoods and subdivisions. Development land uses permitted in each are designed to reflect existing conditions and enhance the prospects of ‘lie development.’”

The uses permitted in the R-1 district would be appropriate in the area.

d) Whether adequate public-school facilities, roads and other public services exist or can be provided to serve the needs of the development likely to take place because of such change, and the consequence of such change:

Current public rights-of-way serve this area with access subject to Horry County encroachment permit approval.

e) Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewer to the area:

Public water and sewer are available to the parcel.

As a matter of policy, no request to change the text of the ordinance or the map shall be acted upon favorably, except:

- (a) Where necessary to implement the comprehensive plan, or
- (b) To correct an original mistake or manifest error in the regulations or map, or

- (c) To recognize substantial change or changing conditions or circumstances in a particular locality, or
- (d) To recognize changes in technology, the style of living, or manner of doing business.

This petition for annexation and zoning designation is presented to the Planning Commission for a recommendation that will be forwarded to the City Council at their next meeting tentatively scheduled for October 7, 2024. Should the Planning Commission desire to forward a positive recommendation to the City Council, one of the reasons should be included in the report.

Staff Review:

Planning and Development, Planning Division

The Planning Division has no issue with the proposed petition for annexation and zoning.

Planning and Development, Zoning Division

The Zoning Administrator has no issue with the proposed petition for annexation and zoning.

Public Works

The City Engineer has no issue with the proposed petition for annexation and zoning.

Public Safety

The Fire Marshall has no issue with the proposed petition for annexation and zoning.

Planning Commission Action:

The Planning Commission may recommend approval, recommend approval with modifications and/or conditions; or recommend denial of the proposal, as submitted.

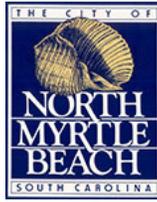
Alternative Motions

- 1) I move that the Planning Commission recommend approval of the annexation and zoning petition [Z-24-32] as submitted.

OR
- 2) I move that the Planning Commission recommend denial of the annexation and zoning petition [Z-24-32] as submitted.

OR
- 3) I move (an alternate motion).

FILE NUMBER:	Z-24-32
Complete Submittal Date:	August 21, 2024



Notice Published:	
Planning Commission:	September 17, 2024
First Reading:	October 7, 2024
Second Reading:	October 21, 2024

City of North Myrtle Beach, SC

Petition for Annexation & Zoning

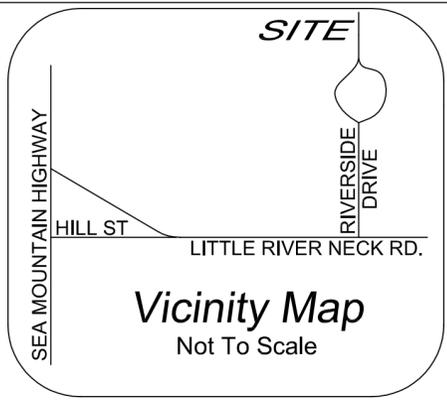
GENERAL INFORMATION

Date of Request: August 21, 2024	Property PIN(S): 31116040024 & 31116010004
Property Owner(s): J & R Properties of NMB, LLC	Type of Zoning Map Amendment: Petition for Annexation and Zoning
Address or Location: Lot 13 A & B Riverside Drive	Project Contact: Jerred Roberts
Contact Phone Number: 8432227267	Contact Email Address: jerred56@gmail.com
Current County Zoning: MSF10	Proposed Zoning: R-1
Total Area of Property: 1.02 Acres	Approximate Population of Area to be Annexed: 0

RECORDED COVENANT INFORMATION

I hereby certify that the tract(s) or parcel(s) of land to which this approval request pertains is not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity for which approval is sought, as provided in South Carolina Code of Laws (§ 6-29-1145).
Applicant's E-signature: Jerred Roberts

This form complies with a state law that took effect on July 1, 2007 (S.C. Code § 6-29-1145) that requires all planning agencies to inquire in an application for a permit if the parcel of land is restricted by a recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity. If such a covenant exists, the agency shall not issue the permit until written confirmation of its release is received. The release must be through the action of an appropriate legal authority.



- NOTES:
- PIN# 311-16-04-0024 LOT 13-A
PIN# 311-16-01-0004 LOT 13-B
 - OTHER UTILITIES MAY EXIST, BUT THEIR LOCATIONS ARE NOT KNOWN.
 - SURVEY SUBJECT TO FULL TITLE SEARCH
 - THIS PROPERTY MAY BE SUBJECT TO RIGHT OF WAYS, EASEMENTS OR RESTRICTIONS EITHER RECORDED OR IMPLIED
 - BUILDER/OWNER TO VERIFY COMPLIANCE ZONING, RESTRICTIVE COVENANTS OR HOMEOWNERS ASSOC. REQUIREMENTS OF RECORD
 - AREA COMPUTED BY COORDINATE GEOMETRY
 - R/W = RIGHT OF WAY
 - RBF / RBS = REBAR FOUND / SET 5/8"
 - EA = EDGE OF ASPHALT
 - TAX# NONE
 - ⊙ = WATER METER
 - PLAT REFERENCES:
PB.62 @ PG.21
PB.207 @ PG.106
PB.324 @ PG.158
 - THIS IS A BOUNDARY RESURVEY OF AN EXISTING PARCEL OF LAND.
 - OWNER OF RECORD: J & R PROPERTIES OF NMB, LLC

LOTS 14 & 15
RIVERSIDE CAMPGROUND
PIN# 312-13-02-0011
TAX# 131-17-01-006
N/F PETER PIERI
DB.3037 @ PG.245

LOT 13-B
22,783 SQ.FT.
0.51 ACRE

LOT 13-A
22,592 SQ.FT.
0.51 ACRE

LOT 1
RIVERSIDE CAMPGROUND
PIN# 311-16-04-0017
TAX# 131-17-01-004
N/F KARA DEANNE S. WHITE
DB.4022 @ PG.614

PARCEL 2
PIN# 312-00-00-0470
TAX# 131-00-03-060
N/F HOPE POINTE LLC
DB.4690 @ PG.833

LOT 2
RIVERSIDE CAMPGROUND
PIN# 311-16-04-0018
TAX# 131-17-01-014
N/F KATHRYN H. SAPP
DB.4017 @ PG.969

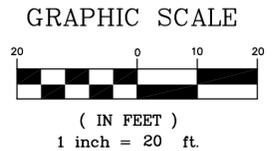
FLOOD NOTE:
THE SUBJECT PROPERTY SHOWN
HEREON LIES IN FLOOD ZONES X & X
SHADED PER F.E.M.A. MAP # 45051 CO
626 K DATED DECEMBER 16, 2021.

I hereby state that to the best of my professional knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class "A" survey as specified therein. Date: AUGUST 20, 2024

SIGNED *HARRY F. BRUTON*
PROFESSIONAL LAND SURVEYOR
HARRY F. BRUTON, PLS 24275



RIVERSIDE DRIVE
50' PUBLIC R/W



Harry F. Bruton & Associates
Professional Land Surveying & Design

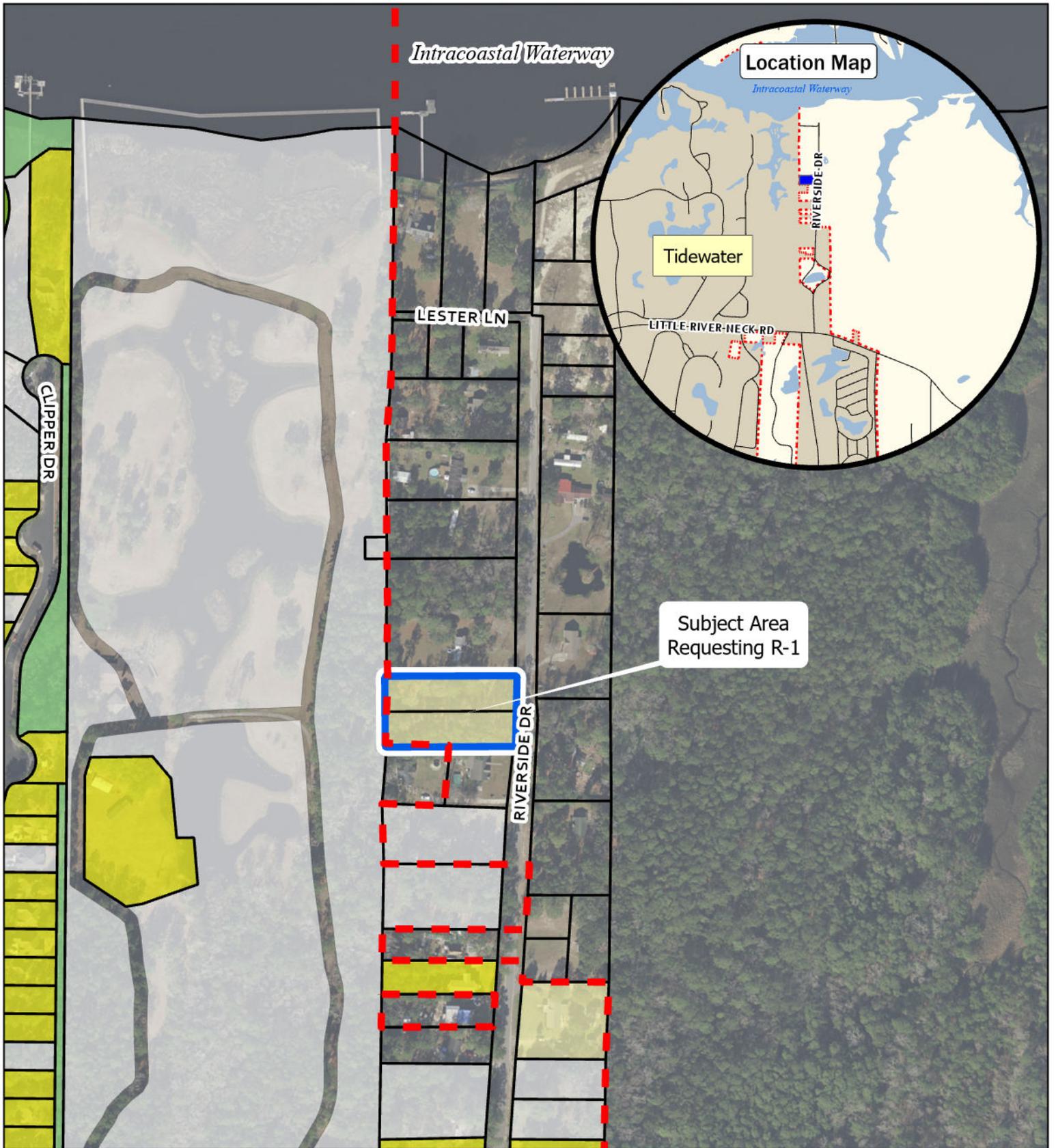
RESIDENTIAL & COMMERCIAL IN S.C.
905-2 Sea Mountain Hwy.
North Myrtle Beach, SC 29582

hbruton@gmail.com
OFFICE (843) 281 - 8822
FAX (843) 280 - 0920

A BOUNDARY SURVEY
SHOWING
LOT 13-A & 13-B
RIVERSIDE CAMPGROUND

LITTLE RIVER TOWNSHIP, Horry COUNTY, SOUTH CAROLINA

SCALE 1"=20'
THE PROPERTY OF **J & R PROPERTIES OF NMB, LLC**
MAP REFERENCE IN BOOK SEE PAGE NOTE #12
DEED REFERENCE IN BOOK 4244 PAGE 157
JOB NO. 24169 ACAD: 13-A 13-B bndy 8/20/2024

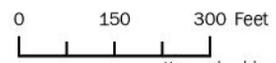


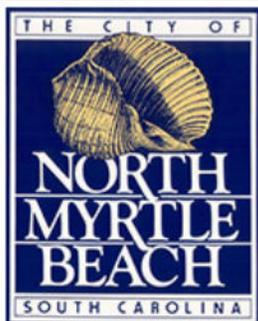
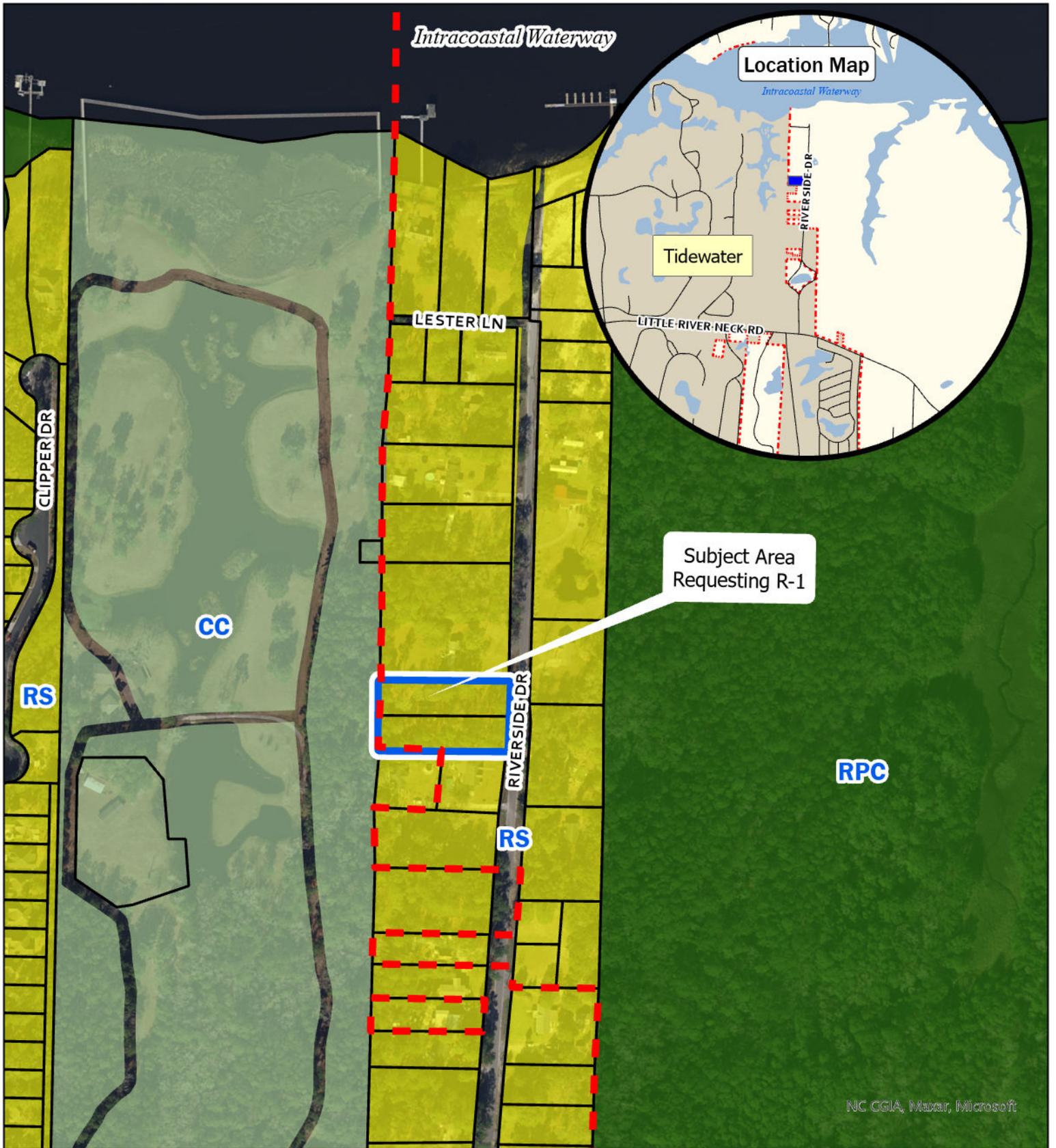
- | | | | |
|-------------------------------|-------------------|---------------|--------|
| North Myrtle Beach City Limit | Existing Land Use | Golf Course | Vacant |
| Subject Area | Common Open Space | Mobile Home | |
| | | Single-Family | |

Legend



Existing Land Use





Legend

-  North Myrtle Beach City Limit
-  Subject Area
-  CC
-  RPC
-  RS

Future Land Use

